

REMARKS

This amendment is in response to the Official Action mailed February 22, 2006. In the present paper, claims 1, 4 and 14 are amended, claims 7-8 are canceled and claims 19-21 are added. Claims 1-6 and 9-21 are now presented for the Examiner's consideration in view of the following remarks.

The Oath/Declaration

The Examiner has stated that the oath or declaration filed in the present case is defective because the specification recites U.S. Application No. 10/821,178, and that that application needs to be mentioned in the Oath.

Applicants respectfully submit that the recitation of that related patent application in the present specification is a cross reference under 37 C.F.R. § 1.78(a)(2)(i), and that no claim of priority to that application is made under 35 U.S.C. § 120. Applicants therefore submit that U.S. Application No. 10/821,178 need not be mentioned in the oath or declaration, and that the original declaration filed in the present case is sufficient.

The Drawings

The Examiner has objected to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5) because they include the reference character "82," which is not mentioned in the specification. The specification has been amended to include a description of reference numeral 82 in Fig. 1. No new matter has been added and support for that amendment can be found in paragraph [0006] of the original specification. Applicants submit that the Examiner's objection to the drawings has been thereby overcome.

The Specification

The Examiner has objected to the title of the invention as not descriptive. Applicants have amended the title to more clearly indicate the invention to which the claims are directed. Applicants submit that the Examiner's objection to the title is thereby overcome.

The Examiner has also objected to claim 4 because the term "portion" should be changed to --partition--. Applicants have amended claim 4 as suggested by the Examiner.

The Claims

Rejection of Claim 4 under 35 U.S.C. § 112:

In the Official Action, the Examiner has rejected claim 4, alleging that the definition of the liquid reservoirs is indefinite. Applicants respectfully traverse on the following grounds, wherein element numbers refer to FIG. 6 of the present application.

As to the second reservoir, claim 4 requires that a second liquid reservoir be defined by the container and the third partition. The Examiner states that "the container and the third partition do not define the second liquid reservoir since the third partition does not come in contact with the liquid." When the housing is in an inverted arrangement, however, the third partition 218 does, in fact, contact the liquid. In an inverted arrangement, liquid is contained in the second reservoir 234 between the container 212 and the third partition 218. Because the second reservoir 234 contains the liquid when the housing is in an inverted position, outflow of

the liquid is substantially prevented. That relationship is described in the specification at least at paragraph [0039] with reference to FIG. 6.

Similarly, a first reservoir 232 is defined by the container 212 and the second partition 216, as shown in FIG. 6 and described in paragraph [0039]. That first reservoir also contains liquid when the housing is in an inverted arrangement, substantially preventing outflow.

Applicants therefore respectfully submit that claim 4 meets the requirements of 35 U.S.C. § 112, second paragraph, and request that the Examiner withdraw the rejection of that claim.

Claim Rejections under 35 U.S.C. § 102:

In the Official Action, the Examiner has rejected claims 1-5, 7, 9-11 and 13-18 as anticipated by U.S. Patent No. 1,874,727 to Wiggins et al. ("Wiggins").

As to **claim 1**, Applicants have amended that claim to substantially include the limitations of claim 8 and intervening claim 7. Claims 7 and 8 have been canceled. The Examiner has stated that claim 8 contains allowable subject matter. Applicants therefore submit that independent claim 1 is therefore allowable, and that dependent claims 2-6 and 9-13 are allowable for at least the same reasons.

As to **claim 14**, Applicants have amended that claim to require that the step of preventing the liquid from flowing out of the first and second ports be in an "inverted" arrangement of the apparatus. A method utilizing the apparatus disclosed in Wiggins would not contain the liquid in an inverted arrangement because the liquid would outflow between the closure 2 and the top of the casing 1. Applicants therefore submit that independent claim 14, and claims 15-18, which depend from claim 14, are novel and non-obvious at least for that reason.

New **claim 19** requires, *inter alia*, a semi-spherical vapor flow control portion. The Examiner has rejected original claim 13, which contains a similar limitation, alleging that Wiggins, as shown in the Examiner's attached drawing, discloses a semi-spherical shape of the trough or sealing compartment 3.

Applicants respectfully traverse that rejection because the sealing compartment 3 of Wiggins is not semi-spherical, but is "a trough of U-shape in transverse cross section" and is "annular" (Wiggins, p. 2, col. 1, lines 26-49). Such a shape is not spherical, but is instead toroidal or donut-shaped.

As noted in the Specification at paragraph [0042], Applicants have found that the claimed semi-spherical shape of a portion of the container 312, as shown in FIG. 7, reduces the impact of tilting from the vertical on calibration. No such benefit is known to result from a toroidal shape such as that of the Wiggins trough.

At least because Wiggins does not disclose a semi-spherical vapor flow control portion in a valve housing as claimed, Applicants submit that independent claim 19, and dependent claims 20 and 21, are novel and non-obvious.

Conclusion

Applicants therefore respectfully assert that claims 1-6 and 9-21 are now in condition for allowance, and earnestly request that the Examiner issue a Notice of Allowance.

Should the Examiner have any questions regarding the present case, the Examiner should not hesitate in contacting the undersigned at the number provided below.

Respectfully,

By 

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